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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,077	08/04/2000	Deborah L. Caswell	10001097-1	1090

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EXAMINER	
DAVIS, ZACHARY A	

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/633,077	CASWELL ET AL.	
	Examiner	Art Unit	
	Zachary A. Davis	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. A Request for Continued Examination with amendment was received on 31 May 2005. Claims 1 and 8 have been amended. No claims have been added or canceled. Claims 1-14 are currently pending in the present application.

Response to Arguments

2. Applicant's arguments filed 31 May 2005 have been fully considered but they are not persuasive.

In reference to the rejection of Claims 1-14 under 35 U.S.C. 102(a) as anticipated by White, US Patent 6049877, and specifically in reference to independent Claims 1 and 8, Applicant argues that White does not teach or suggest a location beacon, a physical entity, or transmitting a signal that distinguishes between sources of access requests.

Regarding the argument that White does not teach or suggest a location beacon and a physical entity, the Examiner directs Applicant's attention to the previous Office action, in which this argument was previously addressed. The Examiner notes that Applicant has not attempted to rebut the response set forth in that Office action.

Regarding the argument that White does not teach or suggest transmitting a signal that distinguishes between sources of access requests, the Examiner respectfully disagrees. The Examiner notes that White discloses that an authentication token is

initially issued to an authenticated user, based on a valid key *and user information* (column 7, lines 19-22), and that the authenticated token is sent with subsequent communications (column 7, line 50-column 8, line 20). The Examiner therefore believes that because the token is based on user information, the signal that includes the token distinguishes between the sources of access requests; that is, the user information in the token is indicative of the source of the request.

Therefore, for the reasons detailed above, the Examiner maintains the rejection as set forth below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-14 are rejected under 35 U.S.C. 102(a) as being anticipated by White, US Patent 6049877.

In reference to Claim 1, White discloses a system that transmits a signal, which distinguishes between sources of access requests (see column 7, lines 19-22, where the token is created based on user information), containing a web address of a web site (column 8, lines 5-6, where the cookie contains path information) and a token that expires within a predetermined time period (see column 8, lines 57-59, where the seed

for the token varies with time, and column 9, lines 22-29, noting that the validity of the token may depend on the dynamic input used). White further discloses that the system includes a server (Figure 1, server 20) and an authentication module that restricts access to the web site if an external access request does not contain the token or the token has expired (column 9, lines 29-32).

In reference to Claim 2, White further discloses blocking access to web site content (column 9, lines 29-32).

In reference to Claim 3, White further discloses that the contents can be web content pages (for example, the HTML document of column 6, lines 42-44) or application programs (see the section discussing CGI applications, beginning at column 6, line 10).

In reference to Claim 4, White further discloses that the token contains a time stamp (see column 8, line 57-59, where the seed may be time of day) and the authentication module decrypts the token using a secret key also used to generate the token (column 9, lines 19-21, where a symmetric key is used to decrypt the token).

In reference to Claim 5, White further discloses that the authentication module compares the token's time stamp with the present time (see column 9, lines 26-32, where dynamic input has been used to create the seed for the token, and the key may differ based on the differing value of the seed).

In reference to Claim 6, White further discloses a token generator (see Figure 4, step 112), a memory that stores the token and web address (see column 5, lines 47-55,

noting the persistent data storage and memory), and a communication interface (column 5, lines 47-55, and Figure 1, noting the connection of server 20 to network 17).

In reference to Claim 7, White further discloses a request handling engine that handles access requests and responses (see column 6, lines 50-54) and a content generator (see column 6, lines 62-65).

In reference to Claim 8, White discloses a system that includes a server that generates content in response to external requests (Figure 1, server 20); transmits a signal, which distinguishes between sources of access requests (see column 7, lines 19-22, where the token is created based on user information), containing the web address of the server (column 8, lines 5-6, where the cookie contains path information) and a token that expires within a predetermined time period (see column 8, lines 57-58, where the seed for the token varies with time, and column 9, lines 22-29, noting that the validity of the token may depend on the dynamic input used); and includes an authentication module that provides a first version of content if the request does not contain the token or the token has expired (column 9, lines 29-35, where operations proceed to provide authorization information) and provides a second version of content if the request contains a token that has not expired (column 9, lines 35-37).

In reference to Claim 9, White further discloses that the contents can be web content pages (for example, the HTML document of column 6, lines 42-44) or application programs (see the section discussing CGI applications, beginning at column 6, line 10).

In reference to Claim 10, White further discloses that the first version of web content is different from the second version of web content (see column 9, lines 29-37, where either operations proceed to provide authorization information or access to the CGI is granted).

In reference to Claim 11, White further discloses that the token contains a time stamp (see column 8, line 57-59, where the seed may be time of day) and the authentication module decrypts the token using a secret key also used to generate the token (column 9, lines 19-21, where a symmetric key is used to decrypt the token).

In reference to Claim 12, White further discloses that the authentication module compares the token's time stamp with the present time (see column 9, lines 26-32, where dynamic input has been used to create the seed for the token, and the key may differ based on the differing value of the seed).

In reference to Claim 13, White further discloses a token generator (see Figure 4, step 112), a memory that stores the token and web address (see column 5, lines 47-55, noting the persistent data storage and memory), and a communication interface (column 5, lines 47-55, and Figure 1, noting the connection of server 20 to network 17).

In reference to Claim 14, White further discloses a request handling engine that handles access requests and responses (see column 6, lines 50-54) and a content generator (see column 6, lines 62-65).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Bolduc et al, US Patent 6157841, discloses a cellular telephone network that provides information, stored in HTML format, based on a user's location.

b. Ludwig, US Patent 6256498, discloses a cellular communication network that provides location sensitive web sites.

c. Herz et al, US Patent 6571279, discloses a location enhanced information delivery system that determines location using a beacon system.

d. Richton, US Patent 6650902, discloses a wireless telecommunication system that provides location-based information to mobile units.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E. Moise

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

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